

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal Action No. 5:91CR56
(STAMP)

RODNEY CURTIS HAMRICK,

Defendant.

MEMORANDUM OPINION AND ORDER
DENYING DEFENDANT'S LETTER MOTION
TO CHANGE LEGAL NAME

On June 5, 2009, this Court received a letter motion from the pro se¹ defendant, Rodney Curtis Hamrick.² In this letter motion, the defendant requests an order from this Court directing the Bureau of Prisons ("BOP") to change his name to accommodate his religious preferences. The government filed a response in opposition to which the defendant replied.

This Court has reviewed defendant's motion and holds that it must deny the defendant's request for an order directing the BOP to change his name. "The procedure for filing name-change petitions is a matter of state law." Pressley v. United States, 1987 WL 37415, at *1 (4th Cir. May 15, 1987). Thus, before the defendant can request any relief from this Court, he must first pursue his

¹"pro se" describes a person who represents himself in a court proceeding without the assistance of a lawyer. Black's Law Dictionary 1341 (9th ed. 2009).

²The defendant was convicted of a Class D felony and is currently being housed at the ADMAX United States Penitentiary in Florence, Colorado. His projected release date is October 19, 2056, to be followed by a consecutive life sentence imposed by the Eastern District of Virginia.

name change through the appropriate state procedures. Id. The defendant has failed to take such steps, and instead, has prematurely filed a motion with this Court. Accordingly, the defendant's letter motion is DENIED.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this memorandum opinion and order to the pro se defendant by certified mail, to the United States Probation Office and to counsel of record herein.

DATED: September 25, 2009

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE